

## THE HIGHWAY OF BANKRUPTCY

## WHAT 42D STREET HAS BEEN WITH THE DITCH IN IT.

Small Merchants Ruined—Big Ones Heavy Losers—Taxes Increased on Realty While the Taxed Buildings Stand Vacant—Object Lesson for Broadway.

The front of a substantial looking book store in Forty-second street, between Madison and Fifth avenues, is ornamented with this big sign

CLOSING OUT SALE.  
TWO OF WAITING FOR COMPLETION OF THE SUBWAY.  
ALL STOCK AT COST.

Next door, to the east, is a vacant store, long vacant, to judge by the flyblown appearance of the "To let" signs inside and the thick dust which covers the interior. In the building above are more "to let" signs, equally flyblown and dusty. On either side more vacant windows, more signs offering desirable premises for rent.

They tell the story of the wreck of the business prospects of one of the most prosperous cross streets in the city by the method adopted in carrying out an improvement designed for the benefit of the city's taxpayers, an improvement for which the Forty-second street merchants who are losing their good money are paying a good share of the cost. They explain why in the last few years the street on which other merchants used to cast envious eyes has become known as "the highway of bankruptcy."

East and west from Fifth avenue, for half the length of the street, paving blocks, dirt and dirty timber litter the sidewalks almost to the doors of the shops. On the south side, next to the little square of green known as Bryant Park, there is an improved mortar mixing plant and a general heap of left over subway material. Here and there the roadway is still open, showing the network of pipes and conduits beneath. Through a great part of the street the temporary plank sidewalks and road covering are still in place.

The subway at this point is supposed to be finished so far as the framework and the building are concerned, but the mess in the street continues. A few weeks ago, at a protest meeting held before the Mayor, Contractor McDonald promised to have the street cleaned up in ten days. Several periods of ten days have passed since then, but practically nothing has been done.

A few men, possibly fifty altogether, are seen pottering about in the mess every day, but the rate of progress is so small that it is practically invisible.

The Forty-second street merchants desire to point out to their threatened brethren in upper Broadway that this illustrates the value of contractors' promises.

Five years ago the prosperity of Forty-second street was increasing at a more rapid rate than that of any other cross street in the city. It is the general testimony of real estate men who make a specialty of dealing in property in that section that Forty-second street really increased in value at least one-third in the two years between 1898 and 1899.

Then the old Third Avenue Railway Company tore up the street to substitute cables for horsepower on the cross-town line running through the street. The mess this made didn't help the street's trade particularly. The operation took almost six months.

After a year or so of cable traction the company decided that the trolley would be better for street railway purposes than the cable system. They upset the street again to change from cable power to electricity. It took nearly six months more, and Forty-second street began to have the reputation of being always a filthy and uncomfortable thoroughfare to walk in.

Then came the subway, and all the mess that had been made before was insignificant in comparison with the utter wreck made by the digging and the blasting for that. It was a trip of peril to walk through the street. To drive through it was an impossibility, unless there was plenty of time to spare and the conditions were unusually favorable.

The piles of debris and material extended to within a few feet of the merchants' doors. The cars crawled through the mountains of dirt and paving stones. The crossings were jammed, and the cars got stuck in the blinding mud in the rock at the bottom of the ditch shook buildings, smashed windows and scattered dirt and stones about.

The houses began to slide into the ditch. That was the climax. The dynamite explosion which clinched the hotel at the Grand Central Station had done harm enough. The dirt and tangle of traffic had done more. Now several buildings were condemned, and the lots of shops, joyfully moved out. Shoppers avoided the street as if it were plague-stricken. Failures among the small merchants began to be heard of. It was a matter of time before the street would be a place of desolation. It will take ten years of prosperity after the street is itself again, if it ever is, to recover from the losses of the last five years.

One of the most prosperous drug stores in the city stood at the corner of Broadway and Forty-second street. The building in which it occupies the ground was an old one, but the lots of shops, joyfully moved out. Shoppers avoided the street as if it were plague-stricken. Failures among the small merchants began to be heard of. It was a matter of time before the street would be a place of desolation. It will take ten years of prosperity after the street is itself again, if it ever is, to recover from the losses of the last five years.

The trade loss of Acker, Merrill & Condit has been estimated by an authority, it is said, at \$200,000 a year. The firm is not talking about the matter for publication. The manager of the firm's store said the other day that it was impossible to estimate the loss.

"We didn't fare half so badly as some of the others," he said, "because we have an entrance in Forty-third street and we have taken the bulk of our orders by telephone. On the whole, I think the subway contractors were as kind to us as they could be."

It may be said that it is difficult to get many of the merchants to tell just what their losses have been on account of the subway and to express their feelings toward the buildings.

"Don't quote me about it," one of them told a SUN reporter. "They're not through yet. I understand they have to tear up all this pavement again to lay down a proper one, and there'll be a lot of chaos and get even with the kickers. What a time I would have after all I've gone through, with paving stones piled up within two feet of my window and door!"

A merchant hasn't a rosy chance of getting much satisfaction out of a contractor engaged on a public improvement, and with city windows and doors, if the contractor chooses to imagine that the merchant is making the work hard for him, and is disposed to "get even" for the interference.

But the opinions expressed by the Forty-second street shopkeepers in private are eloquent enough, and some of them are so anxious to make known the truth about the subway work to care for any possible consequences. J. J. Robinson of Robinson Bros., the bookellers over whose door hangs the sign that they are getting out of a street at any cost, said:

"I don't care what they do now. It can hardly be any worse than what has gone before. Anyway, we are getting out of it in a few days. You can't beat a loss of this kind."

and this has been a pretty blue place since. We have been losing money steadily ever since the work started. I figure that we have lost nearly \$50,000. We have lost \$5,000 in the last two or three years; the rest will go in sacrificing the stock. We have a deal on now to dispose of it in a lump in a few days."

"Have you made no claim against the city?" was asked.

"How can we? How can you prove damages in a case of that kind? We were doing a good business before this wreck began; we haven't been doing anything since. But the loss is in prospect of profits. It isn't worth while to spend long years fighting in the courts on the slight chance of winning a slight part of the loss from the city."

"Anybody else in the same predicament?"

"Anybody? Everybody along the block. Look at the vacant stores. There was Mayer's, furnishings man. A few doors from here. He had been here for years and had built up a good business. This subway work ruined him. He found he wasn't making expenses, so he was fighting for a year or so he sold out his stock in a lump to a firm downtown, and got out pocketing his loss. He's running a laundry somewhere now."

"There's a wholesale liquor dealer a few doors down. The manager there told me the other day that they had lost \$30,000 in the last two years."

"There is no remedy for it. The only thing is to do what Mayer did and what we are doing—pocket your loss and get out."

It is an interesting fact that while rents have gone down, and buildings are vacant all along Forty-second street, the taxes on those buildings have gone steadily up. The tax assessors have taken no account of the losses inflicted on the merchants by the ditch. Their eyes have been set solely upon the expected increase in the value of Forty-second street property as the ditch becomes a railroad. So while rents have gone down, taxes have increased, and the unfortunate property owners are between the upper and the nether millstone.

The real estate firm of Ludlow, Day & Co. owns the store and office building at 10 East Forty-second street. It is a five-story building having a front of 25 feet and a depth of only 50 feet, so it is comparatively a small structure. The loss in rents in this building in the last two years, during the period of digging and ditching, has been almost \$2,000 a year, according to George Day of the firm.

Seven years ago the building was assessed for taxation purposes at \$150,000. Last year it was assessed at \$110,000, and the taxes upon it were nearly \$15,000 instead of rather more than \$5,000 as they were seven years ago.

"I went down to the tax assessors and protested against the increase," Mr. Day said. "They told me that the assessment was fair because the value of the property was being enhanced by the improvements in the neighborhood, particularly by the subway."

"But, gentlemen, I told them, 'the construction of your precious subway is losing for us about \$2,000 a year in rents.'"

"Any use? Not a bit of it. I'm paying the increased taxes to the city while the city is in a double ended game of you win, I lose with nothing in it for the property owner."

"Some of the real estate holders along the street have charged up their losses in rent against the city and are suing for the amount. They may recover in a few years, if they're lucky. In the mean time they'll have to live and pay their taxes out of their losses."

The ditch has meant heavy losses for the wealthy owners of real estate and for the small shopkeepers along Forty-second street. But many of them hope to recover some part of their losses from the city—if they're lucky, as the real estate broker said. The city, however, has no intention of ruin, though, for the small shopkeepers and for the real owners who are struggling along under a weight of mortgages and taxes to make a profit out of their holdings.

When the distressed caused by the ditch was at its height a mutual protective association was formed by the leading business men along the thoroughfare, to keep the excesses of the contractors within bounds. Protests were made through an existing association of business men and these had some effect. But the method of building the subway couldn't be changed and the good accomplished by the association was the mere trade in comparison with the general wreck and disorder.

"Oh, it's a fine object lesson, this down here, for the property owners and the shopkeepers. It shows them the necessity of the city where it is proposed to repeat this ditching process," one of the leading merchants in Forty-second street said the other day. "I suppose they don't know any other ways; I know we have. But if they must be built at the cost of ruining scores of prosperous citizens as this has done, they are a bunch of fools. They are engineering their talk about can't be so much."

"They haven't had to tear up half of London to build their underground roads, yet the road is built so fast and so cheaply, that the Pennsylvania Railroad is going to have a fine tunnel, but it didn't dare to propose repeating this kind of thing. They are a bunch of fools. They are engineering their talk about can't be so much."

"If Forty-second street had to vote to-day whether there should be a subway, built by the ditching process within a mile of the city, you couldn't get one solitary vote along the street for the project. But you could raise a mighty fine campaign fund to beat it."

A meeting of the committee of fifty organized by the Broadway merchants for the purpose of opposing the ditching of Broadway south of Forty-second street, was held on Tuesday to find out what was being done in the matter. When it was held, last night, William Barclay Parsons, chief engineer of the Rapid Transit Company, was studying how best to build a subway without the general wreck which has attended the present ditch.

The merchants want to find out how far the studies of Mr. Parsons have got, and in what direction they are tending. They don't mean to take chances on a half-and-half ditch plan which will simply repeat in a slight degree the mess of the last three years.

Mr. McDonald may also be asked at this meeting why Forty-second street has been closed up within ten days, according to promise.

**CONTRIBUTIONS WENT WRONG.**

Bonus Solicitors Get Life Saving Corps' Money—Prisoners Accused.

Michael J. Kiernan, 55 years old, of 7 Greenview avenue, went to the Jefferson Market police court yesterday as complainant against W. H. Semple of 485 Sixth avenue, whom he charged with the larceny of \$30. Semple was discharged and Kiernan found himself the defendant on a charge of larceny of \$10, with many more charges pending against him.

The complainant against Kiernan was J. Wesley Jones, president of the United States Volunteer Life Saving Corps. He alleged that Kiernan, with false credentials, had been representing himself as a member of the corps, and that he had secured for Kiernan's arrest a warrant for Kiernan's arrest was made out in court while he was waiting to appear as complainant against Semple. Kiernan was charged with larceny of \$30. Semple was discharged and Kiernan found himself the defendant on a charge of larceny of \$10, with many more charges pending against him.

John H. Hadden of 462 Kosciuszko street, Brooklyn, testified that he had given Kiernan a check for \$10 for the Volunteer Life Saving Corps. Mr. Fulder of the New York Detective Bureau, who is interested in Jones's side of the case said:

"This is only a drop in the bucket. The corps has lost between \$5,000 and \$10,000, and the service has been partly crippled because contributions made in good faith have not been received."

**Mrs. Davis's Condition Unchanged.**

## POLITICS CAUSED MASSACRES,

## SAYS J. B. GREENHUT ON HIS RETURN FROM RUSSIA.

He Writes to Secretary Hay That Our People Have a Good Effect—Belief Based Well Spent—Stories Not Exaggerated.

Mr. J. B. Greenhut of this city and Peoria, Ill., has just returned from a European trip on which he made a special investigation of the Kishineff massacres, and of the general conditions under which the Jews of Russia live. He embodied the results of his observations in a report which he sent to Secretary of State Hay on Sept. 21, and its receipt has been acknowledged. The report follows:

Hon. John Hay, Washington, D. C.

MY DEAR MR. HAY: Last spring, while home in Peoria, I attended a meeting for the relief of the sufferers of the Kishineff massacres, and as I was on the eve of sailing for Europe I was asked and promised to investigate and ascertain, as far as possible, all I could of that terrible affair, as well as the general conditions under which the Jewish population was forced to exist in Russia.

"Being aware of the deep interest taken by President Roosevelt and your kind self in the endeavor to moderate as far as possible the sad conditions under which these poor, down-trodden people are suffering, I concluded it would be of interest to you to learn from a source other than regular official channels, but nevertheless fully authoritative, the true condition of affairs in Russia."

"I had the good fortune, during my travels, to come in contact with many Russians, some of whom were eye witnesses of the late difficulties at Kishineff, and others who were fully conversant with the situation all over Russia, among these latter being Mr. Oshai Chayes, a noted banker of Odessa, who is also president of the Stock Exchange in that city and bears the title of Commerciatnath, and through whose bank most of the relief funds lately sent to Russia were transmitted. Mr. Chayes has been in close touch with all the affairs pertaining to the Jews in Russia, and with Kishineff in particular, which place is only about three hours' distance from Odessa."

"Another of these men, Mr. Moses Klignman, I may mention as having especially impressed me. He is of the wholesale firm of Perlmuter & Klignman of Kishineff. Mr. Klignman is treasurer of the relief committee, through which all the relief funds which were lately sent to Kishineff were distributed. He was, therefore, in a position to give me a very graphic and accurate account of the two days of terror through which the Jews of Kishineff passed that fateful day passed last April, of which he also was an eye witness."

"There has been so much publicity given by the newspapers to the horrible atrocities in connection with the murders, brutal treatment, pillage, etc., which were perpetrated on that occasion that I do not think it necessary to recount anything about those atrocities at this time, except to say that the statements of Mr. Klignman and of other men from Kishineff fully confirmed the worst that has been previously reported on the subject, and that it would be a hard-hearted individual that could listen to a recital by these earnest men and not feel a touch of sympathy for those poor, down-trodden Jews, who are compelled to seek out such a hopeless existence as theirs in Russia."

"I was much interested in learning from these men how the funds for the relief were sent to Kishineff had been distributed among those who were in most urgent need of relief. Mr. Klignman stated that in all about one million roubles (about one hundred thousand dollars) had been received by his committee, about one-half of which was raised in Russia, and the other half received from Europe and one-quarter from America."

"I was very much pleased with Mr. Klignman, as he did not appear to have any attempt to overdraw anything or make any attempt to overdraw the necessity of more funds being sent for their relief. In fact, he believed the funds he had received would enable his committee to care for all the urgent cases in their midst. However, what impressed and gratified me most was the earnestness and the genuine feeling of these men, namely, that while the relief funds, which were so generously forwarded from all parts of the world, were indeed needed, as they were, they were not needed as much as the moral assistance and the help of the Russian Government, which was the noble and heroic attitude taken by President Roosevelt and Secretary Hay on their behalf."

"They said, over and over again, that the moral influence exerted through the action taken by our administration was of more value to them than all the other aid combined, which was put forward for their relief, and that notwithstanding that the position of our administration could not be enforced officially, it nevertheless had immediate effect on the Russian Government and resulted in a change of the Governor, and the officials generally in Kishineff, who were said to be less harsh to the Jewish population than their predecessors had been."

"They also stated that the public sympathy shown for the Jews by the people and the press of the United States against these Russian atrocities had the effect of bringing about the arrest of many of the riotous Jews, who were sent to prison, and that they would receive a more lenient punishment for their evil deeds, and they hope that this action may have some deterrent influence in preventing a similar uprising in the future."

"I also made diligent inquiry of these people for the purpose of ascertaining the ulterior or basic cause which instigated the attacks on the Jews of Kishineff. The consensus of their opinion was to the effect that the primary cause of the trouble was on account of the large percentage of Jews in Kishineff, and that the cause was the so-called 'Social Democratic party,' and they said that undoubtedly the agents of the Russian Government believe that they could give a more lenient punishment for their evil deeds, and they hope that this action may have some deterrent influence in preventing a similar uprising in the future."

"It seems that this 'Social Democratic party' is organized for the purpose of bringing about a constitutional government in Russia and therefore is naturally opposed by the present government. I was told that a deputation of Jews had an audience some time ago with the Minister of the Interior to protest against some of the stringent regulations against the Jews."

"They were told by the minister that the Jews could not expect better treatment from the government in view of so many of them having affiliated with the 'Social Democratic party,' and that the government would not receive a more lenient punishment for their evil deeds, and they hope that this action may have some deterrent influence in preventing a similar uprising in the future."

"The Jews represented but a small percentage of that party, the minister coolly replied, and that the government would not receive a more lenient punishment for their evil deeds, and they hope that this action may have some deterrent influence in preventing a similar uprising in the future."

"The Jews were strangers in Russia and therefore possessed no such rights."

"John H. Hadden of 462 Kosciuszko street, Brooklyn, testified that he had given Kiernan a check for \$10 for the Volunteer Life Saving Corps. Mr. Fulder of the New York Detective Bureau, who is interested in Jones's side of the case said:

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**SWANSTROM GOES SOUTH**

In Search of Better Health—Will Return in a Week or So.

Borough President J. Edward Swanstrom of Brooklyn, who has been suffering for some time from a severe attack of neuralgia, has gone South to recuperate.

His physician recommended a complete change of scene and a thorough rest. It was believed that a week's vacation would enable him to resume his official duties within a week or ten days.

"I certainly hope that these poor and down-trodden people may always depend upon the administration, the public and the press of the United States to rally their aid against such atrocities as were enacted in Kishineff, for such protest is the only practical protection these people can depend upon to and to help to receive from any quarter of the globe."

## MANY PEOPLE HAVE CATARRH OF STOMACH AND DON'T KNOW IT.

## A Beautiful Michigan Belle Cured of Catarrh of the Stomach by Peru-na.

Louise Matt, Battle Creek, Mich., writes:

"I can only say that others have said before me, that Peru-na is a most wonderful medicine for catarrh of the stomach and stomach troubles."

"I suffered so long with indigestion and dyspepsia, and tried so many things to cure me, without relief, that I made up my mind my case was hopeless. One of my friends advised me to try Peru-na for a month, assuring me that I could not fail to find from its use some relief and possibly a cure. So I took Peru-na courage and bought a bottle of Peru-na, determined to give it a thorough trial, which I did. In just six weeks I was entirely rid of my stomach trouble, and bless the day when Peru-na was brought to my notice."—Louise Matt.

No medicine in the world has cured more cases of dyspepsia than Peru-na. The reason for this is that dyspepsia is a great majority of cases depends upon catarrh of the stomach.

**CAN BUY MANY PEANUTS NOW.**

Man Thrown Off a Car for Eating Them Receives \$400 Damages.

NEW BRUNSWICK, Sept. 26.—The jury which heard the evidence in the suit of Alvie Peterson against the Middlesex and Somerset Traction Company gave a verdict of \$400, less costs, in favor of the plaintiff. The case was heard in the county court of the county of Somerset. The suit was an unusual one. Peterson had been eating peanuts in a car and declined to stop when ordered by the conductor. The conductor, James Crossen, thereupon threw him off the car and injured him. Peterson instituted criminal proceedings against Crossen and the man was indicted, but at his trial he was acquitted. Then Peterson got after the company.

Supreme Court Justice Fort, in his charge to the jury, plainly laid down the principles of the law in such cases. He said that a carrying company enters into a contract with its passengers to use great care in carrying them, and that if an unlawful assault is made by an employee the carrier is liable for the act.

The company may establish reasonable rules which they may enforce on their cars, he said, but the passengers are not bound by those rules unless they are posted in carrying them, and that if an unlawful assault is made by an employee the carrier is liable for the act.

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## LADIES IN A WARM DISPUTE.

## IT GETS INTO COURT AS SCHWERTFEGGER VS. MILLER.

## The Present Ladies' Vermin of Mr. Schneegass's Mission Suing the Officers of the Former Vermin for the Cash in the Treasury—Court Reserves Decision.

The German population of Stapleton, Staten Island, await with feverish interest the decision of Supreme Court Justice Garretson in the case of Schwertfegger vs. Miller. This is a suit involving the ownership of \$100 and the peace of Stapleton.

This amount of money has already divided the Ladies' Society of the German Presbyterian Mission and made bitter enemies of many women who had been dear friends. That the row has hurt the mission every one admits, including the present president, Mrs. Louise Miller.

Three years ago the members of the Presbyterian Church of Stapleton decided they would have a German mission as an annex to their church. The Rev. Gustave Niehs was selected as the pastor of the mission, and when he began work one of the first things he did was to organize the women folks of the mission into a society to aid it. The society was called the Ladies' Vermin.

The credit of the Ladies' Vermin was established by Mrs. Kate Malach secretary and Mrs. Bertha Leibrich treasurer. The Ladies' Vermin worked hard to raise money for the support of the mission and they were fairly successful. They held sewing bees, raffles and pretzel baking contests. The proceeds were all turned over to Mrs. Leibrich, the treasurer, subject to the call of the pastor. This was all under the Rev. Mr. Niehs. Then came a time a year and a half ago when he received a call from a New Jersey church, which he accepted.

The three women who had been first elected officers of the society retained their places and the longer they held on the more powerful they became in the mission. Finally came the night when Dr. Wood, the pastor of the Presbyterian church, lectured in the school house on Staten Island. It so happened that the Ladies' Vermin of the German annex of the church had selected the same night for a meeting. They gathered in a room adjoining that in which Dr. Wood was lecturing. Unmindful of the lecture the Ladies' Vermin became involved in a hot dispute. One report has it that it was over the proper way to make pumpernickel cakes. They talked so loud that they interrupted the lecture in the adjoining room. Mr. Schneegass was an interested listener. The lecture was so disturbed that he sent a messenger to them with a request to keep quiet. How the messenger delivered the message will always remain a matter of dispute. At any rate Mrs. Schneegass's request was the opening wedge of the disruption of the Ladies' Vermin.

The meeting adjourned in confusion and the Ladies' Vermin of the German annex met in a room at the school house. They decided to hold a meeting in the mission continued to call themselves members of the Ladies' Vermin. They reorganized and elected Mrs. Margaret Schneegass as president, Mrs. Anna Cramer as secretary and Mrs. Dora Carstensen as treasurer.

The new officers sent a request at once to the other set that they wanted all the property of the Ladies' Vermin that was in their possession. What they wanted most was a bank book showing a balance of \$100 to the credit of the Ladies' Vermin. The officers paid no attention to the demand. There was much talk and old friends soon became estranged. The row did fair to disrupt the mission entirely, and it was finally decided to take the matter to court.

It came up before Judge Garretson on Friday, and he spent half a day hearing testimony. Both sides were represented by counsel. There was so much contradictory testimony as to who really owned the money that Judge Garretson asked the two lawyers to submit briefs and he would give his opinion later.

The husbands of the women who are making the trouble, said Mr. Schneegass yesterday, "have something to do with the row. I was afraid I would be considered a politician, when one of my customers advised me to try Peru-na, as it had made her well and strong. I began to take it, and in a few days began to feel stronger, and from the first dose I slept at night, without awakening. I took only two bottles, now I am well, but I am never without Peru-na in the house."—Mrs. Jessie Colton.

Peru-na cures all such cases of dyspepsia, simply because it cures catarrh wherever located. The reason so many cases of dyspepsia suffer on and on without any relief, trying this medicine and that medicine, is that these conditions are not recognized as catarrh of the stomach.

Any one suffering from dyspepsia, having tried the ordinary remedies without relief, would do well to assume that their case is one of catarrh of the stomach, and should at once begin a course of Peru-na. Peru-na is sure to cure these cases.

If you do not derive prompt and satisfactory results from the use of Peru-na, write at once to Dr. Hartman, giving a full statement of your case, and he will be pleased to give you his valuable advice gratis.

Address Dr. Hartman, President of The Hartman Sanitarium, Columbus, O.

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**Apollo**

Piano Players AT GREATLY REDUCED PRICES

For a short time we will place on sale a number of APOLLO which have been rented during the summer, or exchanged for our APOLLO CONCERT GRAND, at a reduction of from \$70 to \$90 each.

These instruments are in perfect condition, we guarantee them equal to new. They have all the mechanical improvements of the latest additions to our stock—the transposing keyboard, automatic tempo regulator and rewind, which make the APOLLO the Master Piano Player